

Senate File 2322 - Reprinted

SENATE FILE _____
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 3220)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the investigation and control of communicable
2 and infectious diseases and notification procedures concerning
3 diseases, health conditions, unusual clusters, or suspicious
4 events which may be the cause of a public health disaster.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 1 Section 1. Section 135.145, subsections 1, 2, and 3, Code
1 2 2005, are amended to read as follows:
1 3 1. When the department of public safety or other federal,
1 4 state, or local law enforcement agency learns of a case of a
1 5 ~~reportable~~ disease or health condition, unusual cluster, or a
1 6 suspicious event that may be the cause of a public health
1 7 disaster, the department or agency shall immediately notify
1 8 the department, the administrator of the homeland security and
1 9 emergency management division of the department of public
1 10 defense, the department of agriculture and land stewardship,
1 11 and the department of natural resources as appropriate.
1 12 2. When the department learns of a case of a ~~reportable~~
1 13 disease or health condition, an unusual cluster, or a
1 14 suspicious event that ~~the department reasonably believes could~~
1 15 ~~potentially be caused by bioterrorism or other act of~~
1 16 ~~terrorism may be the cause of a public health disaster~~, the
1 17 department shall immediately notify the department of public
1 18 safety, the homeland security and emergency management
1 19 division of the department of public defense, and other
1 20 appropriate federal, state, and local agencies and officials.
1 21 3. Sharing of information on ~~reportable~~ diseases, health
1 22 conditions, unusual clusters, or suspicious events between the
1 23 department and public safety authorities and other
1 24 governmental agencies shall be restricted to sharing of only
1 25 the information necessary for the prevention, control, and
1 26 investigation of a public health disaster.
1 27 Sec. 2. Section 139A.2, Code 2005, is amended by adding
1 28 the following new subsection:
1 29 NEW SUBSECTION. 0A. "Area quarantine" means prohibiting
1 30 ingress and egress to and from a building, structure,
1 31 facility, or environment, or a portion thereof, to prevent or
1 32 contain the spread of a suspected or confirmed quarantinable
1 33 disease or to prevent or contain exposure to a suspected or
1 34 known chemical, biological, radioactive, or other hazardous or
1 35 toxic agent.
2 1 Sec. 3. Section 139A.3, subsection 2, paragraphs a and b,
2 2 Code 2005, are amended to read as follows:
2 3 a. Any person who, acting reasonably and in good faith,
2 4 files a report, releases information, or otherwise cooperates
2 5 with an investigation under this section chapter is immune
2 6 from any liability, civil or criminal, which might otherwise
2 7 be incurred or imposed for making a report such action.
2 8 b. A report to or other information provided to or
2 9 maintained by the department, to a local board, or to a local
2 10 department, which identifies a person infected with or exposed
2 11 to a reportable or other disease or health condition, is
2 12 confidential and shall not be accessible to the public.
2 13 Sec. 4. Section 139A.3, Code 2005, is amended by adding
2 14 the following new subsection:
2 15 NEW SUBSECTION. 3. A health care provider or public,
2 16 private, or hospital clinical laboratory shall provide the

2 17 department, local board, or local department with all
2 18 information reasonably necessary to conduct an investigation
2 19 pursuant to this chapter upon request of the department, local
2 20 board, or local department. The department may also subpoena
2 21 records, reports, and any other evidence necessary to conduct
2 22 an investigation pursuant to this chapter from other persons,
2 23 facilities, and entities pursuant to rules adopted by the
2 24 department.

2 25 Sec. 5. Section 139A.4, Code 2005, is amended by adding
2 26 the following new subsection:

2 27 NEW SUBSECTION. 4. The department and local boards may
2 28 impose and enforce area quarantine restrictions according to
2 29 rules adopted by the department. Area quarantine shall be
2 30 imposed by the least restrictive means necessary to prevent or
2 31 contain the spread of the suspected or confirmed quarantinable
2 32 disease or suspected or known hazardous or toxic agent.

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